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**FROM:** Thomas J. Brindisi  
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**DATE:** December 14, 2005

23 Pages (including cover sheet)

**RE: Petition for Withdrawal under 37 C.F.R. 1.313(c)**

|                       |                            |
|-----------------------|----------------------------|
| Application Number:   | 10/765,294                 |
| Attorney Docket:      | DLP/001                    |
| Filing Date:          | 01/27/2004                 |
| First Named Inventor: | Edward H. Kilduff          |
| Title:                | Adjustable Measuring Scoop |
| Examiner:             | Charles D. Garber          |
| Art Unit:             | 2856                       |

Attached are:

- Transmittal
- Petition for Withdrawal under 37 CFR 1.313(c)
- Request for Continued Examination
- Preliminary Amendment and Remarks
- Supp. Information Disclosure Statement with Form PTO 1449 & copy of cited reference
- PTO 2038 for \$525.00

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence and the attached correspondence(s) referenced above are being facsimile transmitted to the United States Patent and Trademark Office at the fax number set forth above on December 14, 2005.

Signed:           / Thomas J. Brindisi /            
Thomas J. Brindisi

PATENT

Attorney Docket No. DLP/001

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 15 2005

|  |                             |
|--|-----------------------------|
| <b>First Named Inventor:</b> Edward H. Kilduff | <b>Group Art Unit:</b> 2856 |
| <b>Serial No.:</b> 10/765,294                  | <b>Examiner:</b>            |
| <b>Filed:</b> 01/27/2004                       | Charles D. Garber           |
| <b>Title:</b> Adjustable Measuring Scoop       |                             |

## TRANSMITTAL

Mail Stop 313(c)  
Office of Petitions  
P.O. Box 1450  
Alexandria, VA 2213-1450

Transmitted herewith in the above-identified application are the following items:

- (1) Petition for Withdrawal under 37 CFR 1.313(c)
- (2) Request for Continued Examination
- (3) Preliminary Amendment & Remarks
- (4) Supplemental Information Disclosure Statement, Form PTO-1449, and copy of cited reference
- (5) Form PTO-2038 for \$525.00

Respectfully submitted,  
Law Offices of Thomas J. Brindisi

Dated: December 14, 2005

By: / Thomas J. Brindisi /  
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